

Circuit Court for Baltimore City
Case No. 24-C-18-006900

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 453

September Term, 2021

MARIE N. DIXON

v.

ARX I, LLC

Reed,
Beachley,
Eyler, James R.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: December 22, 2021

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

In this appeal from a civil action in the Circuit Court for Baltimore City, Marie N. Dixon, appellant, challenges the court’s entry of a judgment foreclosing the right of redemption in her property. For the reasons that follow, we shall affirm the judgment of the circuit court.

In May 2018, Henry J. Raymond, Director of Finance and Collector of Taxes for the City of Baltimore, issued a “Certificate of Tax Sale,” in which he certified that ARX I, LLC, had purchased “at public auction, property in the City of Baltimore known as 1218 W Lanvale Street.” The property, “having been assessed to” Ms. Dixon, “[w]as sold for the sum of” \$2,879.00, \$1,742.82 of which was “the total amount of taxes and other municipal liens due on the property at the time of the sale, together with interest and penalties thereon and expenses incurred in making the sale.” Mr. Raymond certified that the property was “subject to redemption” if the “balance due on account of the purchase price and all taxes and other municipal liens, together with interest and penalties on them accruing subsequent to the date of sale, [were] paid to the Collector.”

In December 2019, appellee filed a “Complaint to Foreclose Rights of Redemption” against Ms. Dixon and other defendants. Ms. Dixon did not file a response. In May 2021, the court entered a judgment foreclosing Ms. Dixon’s right of redemption in the property. This appeal followed.

On appeal, Ms. Dixon asserts that she had paid the required redemption amounts to appellee and the City of Baltimore prior to the time that the judgment foreclosing her right of redemption was entered. In support of this contention, she has attached several exhibits to her brief, including two USPS tracking receipts and copies of two cashier’s checks. One

of the checks is dated February 2, 2021, and made out to appellee in the amount of \$2,837.21. The second check is dated March 4, 2021, and made out to the Baltimore City Director of Finance in the amount of \$3,217.61.

We may not consider these exhibits for the first time on appeal, however, as they were never submitted to the circuit court for consideration. *See Cochran v. Griffith Energy Serv.*, 191 Md. App. 625, 663 (2010) (noting that “an appellate court must confine its review to the evidence actually before the trial court when it reached its decision”). Moreover, we do not reach the merits of Ms. Dixon’s claim, because doing so would require us to resolve factual issues that were not raised in, or decided by the circuit court. *See* Maryland Rule 8-131(a) (“Ordinarily, the appellate court will not decide any [] issue unless it plainly appears by the record to have been raised in or decided by the trial court[.]”). Because Ms. Dixon’s sole contention is not preserved for appellate review, we must affirm the judgment of the circuit court. We express no opinion whether Ms. Dixon may present her claim by filing an appropriate motion filed in the circuit court.

**JUDGMENT OF THE CIRCUIT COURT
FOR BALTIMORE CITY AFFIRMED.
COSTS TO BE PAID BY APPELLANT.**